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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/694,791

10/24/2000

Richard J. Jaros

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22852

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06/30/2004

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
1300 I STREET, NW
WASHINGTON, DC 20005

EXAMINER

LABAZE, EDWYN

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/694,791

Applicant(s)

JAROS ET AL.

Examiner

EDWYN LABAZE

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2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-14 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 6-8, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda (U.S. 5,569,897) in view of Morofsky (U.S. 5,743,429).

Re claims 1, 8, 11, and 13: Masuda discloses credit card system and method of issuing credit card using such a system, which includes means of receiving a credit card application from an applicant (col.1, lines 19+); instantly decisioning the credit card application (col.2, lines 23+); if declined [based on a check code through certain calculations as to whether a credit card is to be issued] instantly notifying the applicant (col.3, lines 25-45; col.4, lines 3-8); if approved instantly dispensing the credit card (col.5, lines 17+).

Masuda is silent with regards to the remote dispensing system.

Morofsky teaches device for dispensing credit cards, which includes card-dispensing machine 10 [as shown in fig. # 1], card-dispensing units 16 in electrical communication with a central processing unit 18 (col2, lines 51+).

In view of Morofsky's teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of Masuda a card

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dispensing machine so as to provide dispense the credit card to the cardholder after reviewing and accepting credit card application. Furthermore, such modification would eliminate the need of an operator. It is well known in the art that many department stores {such Macy's, Home Depot, Sears and the like} offer an instant credit card upon credit verification of the applicant's request {a similar system as disclosed above by Masuda; also see U.S. 6,144,948 to Walker et al. for instant credit card marketing system for reservations for future services} for immediate use of the credit card.

Furthermore, since the hardware of the system are well known in the art {i.e. the processing unit/CPU, which could include a keyboard/keypad/touch-screen pad for inputting personal information of the applicant, data storage devices, all electrically connected to a modem for transmitting inputted information to and from the credit card issuing authority, and a display for displaying the results of the credit verification}, it would have been obvious to electrically connect the card dispensing unit of Morofsky {through the CPU 18} into the teachings of Masuda for dispensing the credit card to applicant once a certain credit verification is met. Moreover, such modification would have been an obvious extension as taught by Masuda.

Re claim 3: Masuda teaches a system and method, further comprising means of evaluating the credit worthiness of the applicant (col.5, lines 5-25).

Re claims 6-7: Masuda discloses a system and method, further comprising means of receiving an embossing record from the central computing platform, and wherein the embossing information contained in the embossing record [such as the credit card number to be issued pending the results of the credit eligibility/verification of the applicant] on the credit card (col.5, lines 5+).

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4. Claims 2, 4-5, 9, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda (U.S. 5,569,897) as modified by Morofsky (U.S. 5,743,429) above in claim 1, and further in view of Buchanan et al. (U.S. 5,950,179).

The teachings of Masuda as modified by Morofsky have been discussed above.

Masuda as modified by Morofsky fails to teach a means for applying for a secured credit card when the application for an unsecured credit is rejected.

Buchanan et al. discloses method and system for issuing a secured card, which includes means for applying for a secured credit card for customer who has difficulty qualifying for an unsecured credit card (col.1, lines 55+), means of determining and receiving a security deposit for the credit limit of the card (col2, lines 45+).

In view of Buchanan et al.'s teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of Masuda as modified by Morofsky a means for applying for a secured credit card for customer who has difficulty qualifying for an unsecured credit card. Furthermore, the unsecured credit card, wherein the customer is required to procure a security deposit which is also the credit limit line of credit card account, would provide an opportunity to a customer to rebuild a credit line over a certain period of time with on-time and satisfactory payments, and by maintaining low balance. Moreover, such modification would have been an obvious extension as taught by Masuda as modified by Morofsky.

5. Claims 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morofsky (U.S. 5,743,429) above in claim 1, and further in view of Buchanan et al. (U.S. 5,950,179).

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Morofsky discloses device for dispensing credit cards, which includes card-dispensing machine 10 [as shown in fig. # 1], card-dispensing units 16 in electrical communication with a central processing unit 18 (col2, lines 51+), an input/inlet device 14 (col.2, lines 57+), a security deposit acceptor [through the bill validator 24 and the inlet 14 operable through the buttons 30 and in electrical communication with the CPU 18] (col.3, lines 1+), a credit card dispenser 16 (col.3, lines 15+; col.6, lines 38-45), a display 26 (col.2, lines 62+).

Morofsky fails to teach that the dispensing module communicates with a central real-time decisioning platform.

Buchanan et al. discloses method and system for issuing a secured card, which includes means for applying for a secured credit card for customer who has difficulty qualifying for an unsecured credit card (col.1, lines 55+), means of determining and receiving a security deposit for the credit limit of the card (col2, lines 45+).

In view of Buchanan et al.'s teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of Morofsky a real-time decisioning platform in communication with credit card dispenser in order to evaluate the credit card application and render a decision as to require a security deposit. Furthermore, such modification in conjunction with the software/operating system would provide a means of receiving a credit card application/request from a customer at a remote location, performing a credit check/history of the applicant, and determining from the credit results whether to approve/issue a secured or non-secured credit card offer with a security deposit and means of instantly dispensing the credit card. Moreover, such modification would have been an obvious extension of the teachings of Morofsky.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Longfield (U.S. 5,724,523) discloses electronic income tax refund system utilizing the tax refund to underwrite issuance of a secured credit card.

Masuda (U.S. 5,883,452) discloses credit card system and method of issuing credit card using such a system.

Walker et al. (U.S. 6,144,948) teaches instant credit card marketing system for reservations for future services.

Hall, III et al. (U.S. 6,158,657) discloses system and method for offering and providing secured credit card products.

Mobbed et al. (US 2003/0182247) teaches user rewards program and associated communications system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

el
Edwyn Labaze
Patent Examiner
Art Unit 2876
June 17, 2004

A handwritten signature in black ink, appearing to read 'Thien M. Le', with a stylized, cursive script.

**THIEN M. LE
PRIMARY EXAMINER**